IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 1ST NOVEMBER 2006 / 10TH KARTHIKA 1928

Bail Appl..No. 6464 of 2006

CRIME NO.57/2006 OF MALOOR POLICE STATION

PETITIONER/ACCUSED:

P.P. UTHAMAN, S/O.KALANKANDIYIL RAMAN,
IRETTENGAL, MALOOR P.O., THALASSERY TALUK.

BY ADV. SRI.V.BINOY RAM
SRI.V.K.SREENATH

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
(S.H.O. MALOOR POLICE STATION),
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6464/2006

DATED THIS THE 1ST DAY OF NOVEMBER, 2006

O R D E R

The petitioner is the proprietor of a stationery shop. When the police inspected the shop, it was found that the petitioner had stored four VCD's of a Malayalam movie, 'Pachakkuthira'. They were seized from the shop of the petitioner. At the time of search, the son of the petitioner was present in the shop. He informed the police that the shop is being conducted by the petitioner, his father.

2. On seizure of the unauthorised VCD's, the police, after preliminary investigation, registered the case for the offence punishable under Section 63 read with Section 51(a)(i) of the Copy Right Act. Therefore, the petitioner is before this Court for a pre-arrest order, as he apprehends arrest in crime No.57/2006 of Maloor Police Station.

3. After hearing both sides and considering the

materials that are placed before me, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.57/2006 of Maloor Police Station, on 8.11.2006 at 10.00 a.m.

4. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, according to the law

5. The learned Magistrate, on production of the accused before him, shall allow him to be on bail, imposing such conditions, as are deemed necessary.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs